Single Bench

CF 1 o.c

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition NO. 4196 /2004

PETITIONER : K.C. Patel, S/o. Late Shri Mani , Ram Patel, aged about 43 years, Health Assistant Sector Chaple, Community Health Center Chaple, Tahsil Kharsiya, District Raigarh (C.G.)

VERSUS

RESPONDENTS :

1. The State of Chhattisgarh Through Secretary Department of Health and Family Welfare, D.K.S. Bhawan, Raipur (C.G.)
2. Director Health Services Chhattisgarh Raipur (C.G.)
3. Chief Medical & Health Officer District Raigarh (C.G.)

P.R.No. 4185/04 Presented by Shri S.K. Berjiya Dated 29/12/04

RECEIVED COPY 29/12/04 Clerk to A.G. Bilaspur

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

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XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P. 4196 सन् 2004

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

26.11.2004: -

Shri Govind Ram Miri, counsel for the petitioner.

Shri Y.Singh, G.A. for the State/respondents, on advance copy.

Application for urgent hearing is allowed.

Heard.

Learned counsel for the petitioner submits that the matter relates to transfer of the petitioner. He further submits that the petitioner has been transferred from Chaple to Baramkela vide order dated 07.10.2004 (Annexure – P/2). Learned counsel for the petitioner submits that the petitioner has not joined at his transferred place and none has been posted in his place. He also submits that for the present the petitioner may be given an opportunity of filing the detailed representation before the competent authority of the respondents, which shall be considered on its own merits in accordance with law.

Having considered and without expressing any opinion on the merits of the case, in the opinion of this Court, ends of justice will be served if a direction is given to the petitioner to make a detailed representation raising his grievances before the competent authority of the respondents along with a copy of the petition and this order, within 15 days, and on such representation being filed, the competent authority of the respondent shall decide the same on its own merits in accordance with law as early as possible preferably within two months from the date of receipt of the representation.

[पीछे देखिये

XI-HC-22

(32)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

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	It is directed that if the petitioner has not been relieved and other person has not joined in his place, the petitioner may be allowed to continue till the representation is decided. It is made clear that if the petitioner has already been relieved or other person has already joined in his place, this order will not entitle the petitioner to rejoin at the earlier place of posting. With the aforesaid observations, this petition stands disposed of. Consequently M.W.P.No.456/04 also stands disposed of. Sd/- Acting Chief Justice	